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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11
12 LARRY G. PHILPOT,

13 Plaintiff,

14 v.

15 METABRAINZ FOUNDATION,
INC.,

16 Defendant.
17

CASE NO. 2:18-cv-6620 PA (AGRx)

**STIPULATED DISMISSAL WITH
PREJUDICE**

JURY TRIAL DEMANDED

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21
STIPULATED DISMISSAL WITH
PREJUDICE

CASE No. 2:18-cv-6620 PA (AGRx)

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Larry G. Philpot (“Plaintiff”) and Defendant Metabrainz Foundation, Inc. (“Defendant”) hereby stipulate to the dismissal with prejudice of this action, each party to bear its own costs and attorney’s fees, provided that Defendant reserves its rights under Federal Rule of Civil Procedure 41(d), 28 U.S.C. § 1927, or otherwise, to seek reimbursement for its costs and attorneys’ fees associated with this proceeding if Plaintiff files a later action against Defendant based on or including substantially the same claim or claims or arising out of the same set of operative facts.

Respectfully submitted,

Dated: February 28, 2019

By: /s/ Hillary N. Bunsow

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Dated: February 28, 2019

By: /s/ Brian C. Nash

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ATTESTATION

Pursuant to Civil L.R. 54-4.3.4(a)(2)(i), the filer attests that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

Dated: February 28, 2019

By: /s/ Hillary N. Bunsow

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